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INTELLECTUAL PROPERTY  
402-391-4448

10328 PINEHURST AVE.  
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August 3, 2001

Assistant Commissioner  
for Patents  
Patent & Trademark Office  
Washington, D.C. 20231

RE: APPLICATION TITLED "METHOD FOR IMPROVING PRECISION OF DATA  
ACQUIRED BY SPECTROMETER METHODS";  
SERIAL NO.: 09/862,881  
FILED: 05/22/2001

Dear Sir;

Please find enclosed Two (2) Sheets of Drawings which apparently were not included with the original Submittal of the Application, (see Attached Notice of Incomplete Non-Provisional Application). The Drawings were found in the File here and it is not known how the Drawings came to be absent in the Original Submittal. Please add the enclosed Drawings to the File of Application 09/862,881 and provide a Filing Date.

Please note that accompanying this submittal is a Petition to Allow the date of 05/22/01 as the Filing Date in that all the Claims are Method Claims and in that the Drawings are demonstrative of systems which might be used in applying the Claimed Methodology. The Drawings are thus not necessary to fully disclose the present invention.

Sincerely,

JAMES D. WELCH

JW/hs

enc. New Declaration, Two (2) Sheets of Drawings and a Copy of the PTO Notice.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D C 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/862,881	05/22/2001	Craig M. Herzinger	

CONFIRMATION NO. 8860

## FORMALITIES LETTER



\*OC000000006339655\*

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Date Mailed. 07/25/2001

## NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below

All of the items noted below **and a newly executed oath or declaration covering the items must** be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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